Docket No.: 043888-0440 PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 53080

Fumio KATO, et al. : Confirmation Number: 5318

Application No.: 10/567,347 : Group Art Unit: 1795

Filed: February 06, 2006 : Examiner: Adam Arciero

For: ALKALINE PRIMARY BATTERY INCLUDING A SPHERICAL NICKEL

OXYHYDROXIDE

## **AMENDMENT**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is in response to the office action mailed June 22, 2009, having a shortened statutory period of reply of three-months set to expire on September 22, 2009.

Amendment to the Specification begin on page 2.

Amendments to the claims begin on page 3.

Remarks begin on page 5.